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Paper No. 27

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JAN 27 2003

OFFICE OF PETITIONS

In re Application of
Jiangchun Xu, et al.
Application No. 09/593,793
Filed: June 13, 2000
Attorney Docket No. 210121.427C15

ON PETITION

This is a decision on the petition under 37 CFR 1.313(c)(2), filed by facsimile transmission on January 24, 2003, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on October 18, 2002, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

After receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 1634 for further processing of the request for continued examination under 37 CFR 1.114.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy
(703) 305-9220

¹The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. **Failure to timely request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.**



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Paper No. 28

Date : January 24, 2003

TO : Director, Office of Patent Publication

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FROM : Office of the Deputy Commissioner
for Patent Examination Policy

JAN 27 2003

SUBJECT : Withdrawal from Issue of

OFFICE OF PETITIONS

Applicant(s) : JIANGCHUN XU, et al.
Application No. : 09/593,793
Filed : June 13, 2000

The above-identified application has been assigned Patent No. 6,512,094 and an issue date of January 28, 2003.

It is hereby directed that this application be withdrawn from issue at the request of the applicant.

Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of January 28, 2003:

"All reference to Patent No. 6,512,094 to JIANGCHUN XU, ET AL. of WASHINGTON for COMPOSITIONS AND METHODS FOR THE THERAPY AND DIAGNOSIS OF PROSTATE CANCER appearing in the Official Gazette of January 28, 2003, should be deleted since no patent was granted."

Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Geraldine Dozier, Crystal Park 3-441 (FAX-306-2737)
Deneise Boyd, Crystal Park 2, Suite 1100 (FAX-308-5413)
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